

# Austria

*Women, Business and the Law 2021* presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across the eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (Vienna). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Austria scores 96.9 out of 100**. The overall score for Austria is higher than the regional average observed across High income (OECD) countries (95.1). Within the High income: OECD region, there are 10 economies that score 100 out of 100.

## Austria - Scores for Women, Business and the Law 2021



### Relative Strengths

When it comes to constraints on freedom of movement, laws affecting women's decisions to work, laws affecting women's pay, constraints related to marriage, laws affecting women's work after having children, constraints on women's starting and running a business, and gender differences in property and inheritance, Austria gets a perfect score.

### Areas for Improvement

However, when it comes to laws affecting the size of a woman's pension, Austria could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Austria is on the indicator related to laws affecting the size of a woman's pension (the WBL2021 Pension Indicator). To improve on the Pension Indicator, Austria may wish to consider equalizing the ages at which men and women can retire with full pension benefits.

### Recent Reforms

Austria introduced 30 days of paid paternity leave.



Further data details for Austria are available at:  
<https://wbl.worldbank.org/en/data/exploreconomies/austria/2021>

	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	Civil Code, Sec. 92
	Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
	Can a woman apply for a passport in the same way as a man?	Yes	Passport Act, Arts. 3 and 4
	Can a woman travel outside the country in the same way as a man?	Yes	No restrictions could be located
Workplace	Can a woman get a job in the same way as a man?	Yes	Civil Code, Secs. 89 and 91
	Does the law prohibit discrimination in employment based on gender?	Yes	Equal Treatment Act, Art. 3
	Is there legislation on sexual harassment in employment?	Yes	Equal Treatment Act, Secs. 6, 35 and 46; Federal Equal Treatment Act, Sec. 8
	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> No applicable provisions could be located <i>Civil:</i> Federal Equal Treatment Act, Sec. 19; Equal Treatment Act, Sec. 12(11)
Pay	Does the law mandate equal remuneration for work of equal value?	Yes	Equal Treatment Act, Art. 11
	Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
	Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
	Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
Marriage	Is there no legal provision that requires a married woman to obey her husband?	Yes	No applicable provisions could be located
	Can a woman be head of household in the same way as a man?	Yes	Civil Code, Secs. 89 and 91
	Is there legislation specifically addressing domestic violence?	Yes	Second Protection Against Violence Act
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	No restrictions could be located
Parenthood	Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
	Is paid leave of at least 14 weeks available to mothers?	Yes	Maternity Protection Act, Arts. 3 and 5
	Does the government pay 100% of maternity leave benefits?	Yes	General Social Security Act, Art. 162
	Is paid leave available to fathers?	Yes	Parental Leave for Fathers Act, Art. 1a; Family Time Bonus Act, Arts. 1 and 2(4)
	Is there paid parental leave?	Yes	Maternity Protection Act, Art. 15; Parental Leave for Fathers Act, Art. 2
Entrepren.	Is dismissal of pregnant workers prohibited?	Yes	Maternity Protection Act, Art. 10
	Does the law prohibit discrimination in access to credit based on gender?	Yes	Equal Treatment Act, Arts. 30 and 34
	Can a woman sign a contract in the same way as a man?	Yes	No restrictions could be located
	Can a woman register a business in the same way as a man?	Yes	No restrictions could be located
Assets	Can a woman open a bank account in the same way as man?	Yes	No restrictions could be located
	Do men and women have equal ownership rights to immovable property?	Yes	Civil Code, Secs. 18, 354, 355 and 1237
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Civil Code, Secs. 730 and 732
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Civil Code, Secs. 730 and 744
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Civil Code, Secs. 1233, 1334 and 1237
Pension	Does the law provide for the valuation of nonmonetary contributions?	Yes	Matrimonial Act, Sec. 83(2)
	Is the age at which men and women can retire with full pension benefits the same?	No	Women: General Social Insurance Act (ASVG), Arts. 253(1) and 617(11); Federal Constitutional Law on Different Age Limits of Male and Female Insured Persons, Art. 3 Men: General Social Insurance Act (ASVG), Arts. 253(1) and 617(11); Federal Constitutional Law on Different Age Limits of Male and Female Insured Persons, Art. 3
	Is the age at which men and women can retire with partial pension benefits the same?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Is the mandatory retirement age for men and women the same?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Are periods of absence due to child care accounted for in pension benefits?	Yes	General Social Insurance Act, Art. 227(a)(1)